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Of Counsel

H. LaDon Baltimore

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I.R.A. DOCKET ROOM

\*Also licensed in KY

April 23, 2002

Tennessee Regulatory Authority  
Docket Room  
ATTN: Sharla Dillon  
460 James Robertson Parkway  
Nashville, TN 37238

Re: Complaint of Ben Lomand Communications, Inc. against Citizens Communications  
Company of Tennessee, LLC d/b/a Frontier Communications of Tennessee;  
Docket No. 02-01221

Dear Ms. Dillon:

I am enclosing with this letter Ben Lomand Communication, Inc.'s Response to Discovery  
Request #2 of Citizens Communications Company of Tennessee LLC, d/b/a Frontier  
Communications of Tennessee.

Exhibit 2 is **confidential and proprietary** and is so marked and enclosed under the terms  
of the Protective Order.

Should you have any questions or require anything further at this time, please do not  
hesitate to contact me.

Sincerely,



H. LaDon Baltimore  
Attorney for Ben Lomand Communications, Inc.

LDB/dcg  
Enclosures

cc: Levoy Knowles  
Guilford F. Thornton, Jr., Esq.  
Randal Gilliam, Esq.  
James Dempster, Esq.

*P.S. - also enclosed is our  
expert's affidavit re:  
confidentiality*

**BEFORE THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

IN RE: )

COMPLAINT OF BEN LOMAND )  
COMMUNICATIONS, INC. , )

Against )

DOCKET NO. 02-01221

CITIZENS COMMUNICATIONS )  
COMPANY OF TENNESSEE LLC, )  
d/b/a FRONTIER COMMUNICATIONS )  
OF TENNESSEE. )

**AFFIDAVIT**

State of Tennessee )

County of Davidson )

The undersigned, being duly sworn, deposes and says:

1. I am counsel for Ben Lomand Communications, Inc., a party in TRA Docket No. 02-01221.

2. Upon information and belief, the attached exhibit is confidential and proprietary under the terms of the Protective order in this docket dated February 18, 2003. Such response contains "sensitive information" as protected by the Order.

FURTHER AFFIANT SAITH NOT.

Executed this 23rd day of April, 2003.

  
H. LaDon Baltimore

Sworn to and subscribed before me this the 23rd day of April, 2003.

  
Notary Public

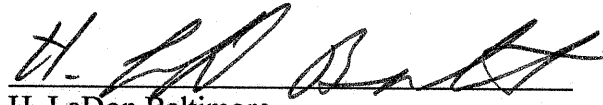
My commission expires: March 31, 2007

### Certificate of Service

The undersigned hereby certifies that on this the 23<sup>rd</sup> day of April, 2003, a true and correct copy of the foregoing has been forwarded via first class U. S. Mail, hand delivery, overnight delivery, or facsimile transmission to the following.

Guilford F. Thoronton, Jr., Esq.  
Stokes, Bartholomew, Evans & Petree  
424 Church Street, Suite 2800  
Nashville, TN 37219

Richard Collier, Esq.  
General Counsel  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37238

  
H. LaDon Baltimore

**BEFORE THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

IN RE:

COMPLAINT OF BEN LOMAND  
COMMUNICATIONS, INC. ,

Against

CITIZENS COMMUNICATIONS  
COMPANY OF TENNESSEE LLC,  
d/b/a FRONTIER COMMUNICATIONS  
OF TENNESSEE.

DOCKET NO. 02-01221

**AFFIDAVIT**

State of Georgia

County of FULTON

The undersigned, being duly sworn, deposes and says:

1. I am retained or employed by Ben Lomand Communications, Inc., a party in TRA  
Docket No. 02-01221.

2. I have read the Protective Order in this docket dated February 18, 2003, respecting  
the disclosure of confidential information. I agree to be bound by the terms thereof, and I  
understand that the unauthorized disclosure of Confidential Information constitutes a violation of  
the Protective Order and may subject me to action for injunctive relief and damages.

FURTHER AFFIANT SAITH NOT.

Executed this 22 day of April, 2003

  
Don Woodr

Sworn to and subscribed before me this the 22<sup>nd</sup> day of April, 2003.

  
Notary Public

My commission expires: 4-18-05

**BEFORE THE TENNESSEE REGULATORY AUTHORITY  
NASHVILLE, TENNESSEE**

<b>IN RE:</b>	)	
	)	
<b>COMPLAINT OF BEN LOMAND COMMUNICATIONS, INC. ,</b>	)	
	)	
<b>Against</b>	)	<b>DOCKET NO. 02-01221</b>
	)	
<b>CITIZENS COMMUNICATIONS COMPANY OF TENNESSEE LLC,</b>	)	
<b>d/b/a FRONTIER COMMUNICATIONS</b>	)	
<b>OF TENNESSEE.</b>	)	

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**PROPRIETARY AND CONFIDENTIAL  
SUPPLEMENTAL RESPONSE OF BEN LOMAND COMMUNICATIONS, INC.  
TO DISCOVERY REQUESTS OF CITIZENS COMMUNICATIONS COMPANY  
OF TENNESSEE LLC, D/B/A FRONTIER COMMUNICATIONS OF TENNESSEE**

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Ben Lomand Communications, Inc. ("Ben Lomand") responds to Citizens Communications Company of Tennessee LLC, d/b/a Frontier Communications of Tennessee's First Set of Discovery Requests. Subject to and reserving objections as set forth in its first response of February 18, 2003 and its rights to amend and/or supplement these responses should additional information become known or additional documents identified and, after review of Frontier's responses to Ben Lomand's Discovery Requests, Ben Lomand responds to Discovery Requests number 2 as follows:

2. State all facts upon which you base your allegation that Ben Lomand has lost customers and revenue as a result of Citizens' predatory pricing.

RESPONSE: Attached hereto as Exhibit 2 is a list of the customers lost by Ben Lomand as a result of Citizens' predatory pricing. Exhibit 2 is **CONFIDENTIAL AND PROPRIETARY**.

Ben Lomand's response to this Discovery Request is based upon the knowledge, information, and belief of Ben Lomand. The response is based upon Ben Lomand's direct knowledge from clients that the loss of customers was due to the low price and, in some instances, the conclusion of Ben Lomand.

Respectfully submitted,



H. LaDon Baltimore, BPR #003836  
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211 Seventh Avenue North, Suite 420  
Nashville, TN 37219  
(615) 254-3060  
(615) 254-9835 FAX  
*Counsel to Ben Lomand Communications, Inc.*

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The undersigned hereby certifies that on this the 23rd day of April, 2003, a true and correct copy of the foregoing has been forwarded via first class U. S. Mail, hand delivery, overnight delivery, or facsimile transmission to the following.

Guilford F. Thoronton, Jr., Esq.  
Stokes, Bartholomew, Evans & Petree  
424 Church Street, Suite 2800  
Nashville, TN 37219

Randall Gilliam, Esq.  
Counsel and Pre-Hearing Officer  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, TN 37238

  
H. LaDon Baltimore